

Court Of Appeals
Fourth Court of Appeals District of Texas
San Antonio



MEMORANDUM OPINION

No. 04-08-00617-CR

IN RE Randall **DOUGLAS**

Original Mandamus Proceeding¹

PER CURIAM

Sitting: Catherine Stone, Justice
Karen Angelini, Justice
Steven C. Hilbig, Justice

Delivered and Filed: August 29, 2008

PETITION FOR WRIT OF MANDAMUS DENIED

On August 14, 2008, relator Randall Douglas filed a petition for writ of mandamus, complaining of the trial court's failure to rule on his Petition for Writ of Habeas Corpus Release for Delay of Prosecution and Excessive Bail and his Motion for Reduction of Bond.² We conclude trial counsel is also relator's counsel for an original proceeding on the issue presented. Relator is not entitled to hybrid representation. *See Patrick v. State*, 906 S.W.2d 481, 498 (Tex. Crim. App. 1995). The absence of a right to hybrid representation means relator's pro se petition will be treated as

¹This proceeding arises out of Cause No. 228235, styled *The State of Texas v. Randall Douglas*, in County Court No. 7, Bexar County, the Honorable Monica Guerrero presiding.

²We further note that relator's petition for writ of mandamus was postmarked on August 13, 2008 and was filed with this court on August 14, 2008. The Bexar County District Clerk shows that relator was sentenced in Cause No. 228235 on August 14, 2008.

presenting nothing for this court's review. *See id.*; *see also Gray v. Shipley*, 877 S.W.2d 806, 806 (Tex. App.—Houston [1st Dist.] 1994, orig. proceeding). Accordingly, relator's petition is denied. Relator's motion for leave to file the petition for writ of mandamus is denied as moot.

PER CURIAM

DO NOT PUBLISH